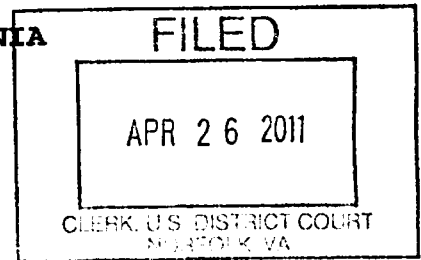


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



KEVIN N. JACKSON, #1002884,

Petitioner,

v.

ACTION NO. 2:10cv569

HAROLD W. CLARKE,
Director of the Virginia
Department of Corrections,

Respondent.

FINAL ORDER

Petitioner, a Virginia inmate, has submitted a *pro se* petition, pursuant to 28 U.S.C. § 2254, to redress alleged violations of his constitutional rights in relation to denials of parole by the Virginia Parole Board. Petitioner is incarcerated pursuant to multiple convictions occurring in 1985, and is sentenced to one life sentence plus eighteen years. Petitioner became eligible for discretionary parole on May 30, 1998, and has been periodically reviewed for parole by the Virginia Parole Board. Parole has been denied on every occasion.

The petition was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation. The Magistrate Judge's Report and Recommendation was filed March 29, 2011. The Court has received no objections to the Report and Recommendation and the time for filing objections has expired.

The Court does hereby accept the findings and recommendations set forth in the Report and Recommendation filed March 29, 2011, and it is therefore ORDERED that Respondent's motion to dismiss (ECF No. 8) is GRANTED, and the petition for writ of habeas corpus (ECF No. 1) is DISMISSED.

Petitioner may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty days from the date of entry of such judgment.

Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. See *Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003).

The Clerk shall mail a copy of this Final Order to
Petitioner and to counsel of record for Respondent.

/s/
Rebecca Beach Smith
United States District Judge

PRS

UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
April 26, 2011